

## § 401.21

(b)(1) through (5) of this section is permissible; or

(8) For each vessel with LOA less than 30 meters, the use of portable AIS compatible with the requirements of paragraphs (b)(1) through (3) and paragraph (5) of this section is permissible.

[68 FR 9551, Feb. 28, 2003; 68 FR 11974, Mar. 13, 2003, as amended at 70 FR 12972, Mar. 17, 2005]

### § 401.21 Requirements for U.S. waters of the St. Lawrence Seaway.

In addition to the requirements set forth elsewhere in these Regulations, vessels transiting the U.S. waters of the St. Lawrence Seaway are subject to the requirements set out in Schedule I.

(68 Stat. 93-96, 33 U.S.C. 981-990, as amended and secs. 4, 5, 6, 7, 8, 12 and 13 of sec. 2 of Pub. L. 95-474, 92 Stat. 1471)

[45 FR 52378, Aug. 7, 1980]

#### PRECLEARANCE AND SECURITY FOR TOLLS

### § 401.22 Preclearance of vessels.

(a) No vessel, other than a pleasure craft 300 gross registered tonnage or less, shall transit until an application for preclearance has been made, pursuant to § 401.24, to the Manager by the vessel's representative and the application has been approved by the Corporation or the Manager pursuant to § 401.25.

(b) No vessel shall transit while its preclearance is suspended or has terminated by reason of:

(1) The expiration of the representative's guarantee of toll payment,

(2) A change of ownership or representative of the vessel, or

(3) A material alteration in the physical characteristics of the vessel, until another application for preclearance has been made and approved.

(c) Unless otherwise permitted by an officer a non-commercial vessel of 300 gross registered tonnage or less cannot

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apply for preclearance status and must transit as a pleasure craft.

(68 Stat. 93-96, 33 U.S.C. 981-990, as amended and secs. 4, 5, 6, 7, 8, 12 and 13 of sec. 2 of Pub. L. 95-474, 92 Stat. 1471)

[39 FR 10900, Mar. 22, 1974, as amended at 47 FR 51122, Nov. 12, 1982; 55 FR 48598, Nov. 21, 1990; 65 FR 52914, 52915, Aug. 31, 2000; 66 FR 15329, Mar. 16, 2001; 70 FR 12972, Mar. 17, 2005; 72 FR 2620, Jan. 22, 2007]

### § 401.23 Liability insurance.

(a) It is a condition of approval of an application for preclearance that the vessel is covered by liability insurance equal to or exceeding \$100 per gross registered ton.

(b) No vessel shall transit while its liability insurance is not in full force and effect.

(68 Stat. 93-96, 33 U.S.C. 981-990, as amended and secs. 4, 5, 6, 7, 8, 12 and 13 of sec. 2 of Pub. L. 95-474, 92 Stat. 1471)

[39 FR 10900, Mar. 22, 1974, as amended at 45 FR 52378, Aug. 7, 1980]

### § 401.24 Application for preclearance.

The representative of a vessel may, on a preclearance form obtained from the Manager, St. Lambert, Quebec, or downloaded from the St. Lawrence Seaway Web site (<http://www.greatlakes-seaway.com>), apply for preclearance, giving particulars of the ownership, liability insurance and physical characteristics of the vessel and guaranteeing payment of the fees that may be incurred by the vessel. The preclearance application must be received by the St. Lawrence Seaway between 08:00-16:00 hours Monday through Friday excluding holidays and at least 24 hours prior to arrival.

[76 FR 13089, Mar. 10, 2011]

### § 401.25 Approval of preclearance.

Where the Corporation or the Manager approves an application for preclearance, it shall:

(a) Give the approval; and

(b) Assign a number to the approval.

[39 FR 10900, Mar. 22, 1974, as amended at 65 FR 52914, 52915, Aug. 31, 2000]

### § 401.26 Security for tolls.

(a) Before transit by a vessel to which the requirement of preclearance applies, security for the payment of